

870210

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, FEBRUARY 10, 1987

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Jones at 10:10 a.m.

The meeting was recessed by Deputy Mayor Jones at 11:03 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Council Member Struiksma at 2:03 p.m.

A quorum was not present. A quorum was present at 2:05 p.m. with

Council Members Cleator, Deputy Mayor Jones, and Mayor O'Connor not present. Deputy Mayor Jones adjourned the meeting at 4:17 p.m. to convene in Closed Session at 9:30 a.m., Tuesday, February 17, 1987.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-excused by R-267721

(City business in New York)

(1) Council Member Wolfsheimer-present

(2) Council Member Cleator-present

(3) Council Member McColl-present

(4) Council Member Jones-present

(5) Council Member Struiksma-present

(6) Council Member Gotch-present

(7) Council Member McCarty-present

(8) Council Member Ballesteros-present

Clerk-Abdelnour (mp;eb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor O'Connor-not present

(1) Council Member Wolfsheimer-present

(2) Council Member Cleator-present

(3) Council Member McColl-present

(4) Council Member Jones-present

(5) Council Member Struiksma-present

(6) Council Member Gotch-present

(7) Council Member McCarty-present

(8) Council Member Ballesteros-present

ITEM-310: WELCOMED BY COUNCIL MEMBER McCARTY

Welcoming a group of 30 students from Farb Middle School, accompanied by Vickie Fitzgerald, teacher. This group will arrive at approximately 10:00 a.m.

(District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A390-413.)

ITEM-330: (R-87-1218) ADOPTED AS RESOLUTION R-267665

Vacating Peck Place, east of College Avenue, adjacent to Lots 72-75 of Gilcher Tract, Map-1829, Lot 6 of La Mesa Colony, Map-346 and Lot 5 of Campus Plaza, Map-10626; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, using and operating public utilities of any kind or nature; reserving and excepting from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise; declaring that the easements reserved herein are in, under, over, upon, along and across that portion of Peck Place east of College Avenue.

(Mid-City Community Area. District-7.)

CITY MANAGER REPORT: The abutting property owners have requested the vacation of Peck Place east of College Avenue in conjunction with the approved Mid-City Development Permit (No. 86-0488). The Mid-City Development Permit covers the expansion of the Campus Plaza Shopping Center over an area of 66,240 square feet which include the 7100 square feet of the area of vacation. Development under the Mid-City Development Permit is to consist of three commercial buildings with a combined floor area of 22,425 square feet. The project location is in a CN-2 Zone within the Mid-City Community Plan Area. The area of vacation would normally allow nine additional residential units. However, no residential units will be constructed based upon the approved Mid-City Development Permit. The Planning Commission voted 6-1 for approval on October 30, 1986, with the Planning Department recommending approval. Peck Place is approximately 200 feet in length with a modified turn-around at its easterly terminus. The subject right-of-way is fully paved with curbs, gutters and sidewalk on the southerly side. The area of vacation contains franchised facilities which have been removed and relocated and a drainage easement is to be reserved for the existing drainage facility which is to remain in service following the vacation. Peck Place only serves as access to the adjoining properties and will no longer be required upon the

development of the property under Mid-City Development Permit No. 86-0488. Staff review has indicated that the right-of-way to be vacated is no longer needed for present or prospective use and may be vacated according to the Public Streets, Highways and Service Easements Vacation Law.

FILE LOCATION: STRT J-2637 DEED F-3769 DEEDFY87-1

COUNCIL ACTION: (Tape location: A414-424.)

Hearing began at 10:10 a.m. and halted at 10:11 a.m.

MOTION BY McCARTY TO CLOSE THE HEARING AND ADOPT THE RESOLUTION.

Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,

Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor

O'Connor-not present.

ITEM-331: CONTINUED TO MARCH 3, 1987, 10:00 A.M.

Request for a Conditional Use Permit to allow KGB radio station to erect an 80-foot tower behind the existing studio building for a low power, two-way, point-to-point radio system. The subject property (approximately .67 acres) is located on the north side of Engineer Road, between Cardin Street and Ruffner Road, in Zone M-1B, in the Serra Mesa Community Plan area, and is more particularly described as Parcel 8, Parcel Map PM-7792. (CUP-86-0683. District-5.)

Subitem-A: (R-87-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0683 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-87-)

Adoption of a Resolution granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-86-0683

COUNCIL ACTION: (Tape location: A427-558.)

MOTION BY STRUIKSMA TO CONTINUE TO MARCH 3, 1987, 10:00 A.M., AT WHICH TIME THE COUNCIL WILL CONSIDER THIS PROJECT AND THE PACTEL PROJECT. STAFF IS DIRECTED TO ALLOW THE KEARNY MESA PLANNING GROUP THE OPPORTUNITY TO REVIEW THE PERMIT. Second by Gotch.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea,

McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-not present.

ITEM-332: (R-87-) CONTINUED TO MAY 12, 1987, 10:00 A.M.

Appeal of C & A Service Station, by Leon Andersons, from the decision of the Planning Commission in revoking previously approved Conditional Use Permit CUP-83-0088, to allow the operation of a service station and automotive repair facility, on a 0.77-acre site, located at 6125 Imperial Avenue. The subject property is described as a portion of Lot 1 of Encanto Plaza, Map-4793, in Zone CA, in the Southeast San Diego Community Plan area.
(CUP-83-0088. District-4.)

Adoption of a Resolution granting the appeal and denying the revocation or denying the appeal and approving the revocation.

FILE LOCATION: PERM CUP-83-0088

COUNCIL ACTION: (Tape location: A561-B062.)

MOTION BY GOTCH TO CONTINUE FOR 90 DAYS TO ALLOW ARCO TIME TO COMPLETE THE CUP PROCESS. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-333:

Request for a Conditional Use Permit to develop a cemetery and mortuary (Jewish Memorial Park), with an access road, one acre of sod, a 1,600-square-foot-shed and a well water and septic system. The subject property (approximately 42.24 acres), is located in Beeler Canyon to the south of Beeler Canyon Road, in Zone R1-40000 (HR Overlay), in the Urban Reserve area, and is more particularly described as a portion of Section 25, Township 14 South, Range 2 West, SBBM.
(CUP-85-0675. District-5.)

Subitem-A: (R-87-1646) ADOPTED AS RESOLUTION R-267666
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Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0675 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-87-1647) ADOPTED AS RESOLUTION R-267667
GRANTING PERMIT

Adoption of a Resolution granting or denying the permit
with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-85-0675

COUNCIL ACTION: (Tape location: B065-375.)

Hearing began at 10:25 a.m. and halted at 10:49 a.m.

Testimony in favor by Craig Lorenz, Irving Krantz, and Bob
Dingeman.

Testimony in opposition by Lynn Benn and Dianne Dalich.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT THE RESOLUTIONS
CERTIFYING END-85-0675 AND GRANTING THE PERMIT, AND REQUEST THE
CITY MANAGER, THROUGH THE ENGINEERING AND DEVELOPMENT

DEPARTMENT

AND THE PLANNING DEPARTMENT, TO REVIEW THE PROJECT MENTIONED BY
MR. DINGEMAN (PROJECT COMING OUT OF THE POMERADO BUSINESS PARK
FOR WHICH FINAL MAPS HAVE ALREADY BEEN FILED) AND TO CONDUCT AN
ANALYSIS OF THE IMPACTS OF THAT PROJECT ON THE CITY OF SAN

DIEGO. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor
O'Connor-not present.

ITEM-334:

Appeals of Carey Enterprises, by Edwin F. Carey III,
applicant, and Alex Szekely, from the decision of the Board
of Zoning Appeals in approving, with modifications, a
requested extension of time to variance Case C-16952,
approving the construction of a three-story, single-family
dwelling on each of 6 lots. The subject property is
described as Lots A thru F, Block 396, Horton's Addition,
Map DB13/522, located at the east side of Dove Street,
south of Curlew and Upas Streets, in Zone R-400 (Lots A, B
and C), and Zone R1-5000 (Lots D, E and F), all in the
Hillside Review Overlay Zone, in the Uptown Community Plan
area.

The construction would allow:

- (1) To observe a 0'0" front yard on Lots C, D, E and F
where 15'0" is required;
- (2) To observe a 4'0" interior side yard on each side where
7'0" is required on Lots A, B and C;
- (3) To observe 6'4" side yard on Upas Street where 10'0" is
required;
- (4) To erect approximately 77'0" of retaining wall with a
maximum height of 5'0", observing a 0'0" street side

yard on Upas Street where a maximum 3'0" high wall is permitted in a 10'0" street side yard and 301'0" of retaining wall in a public right-of-way (49' of retaining wall along the southerly property line of Lot F adjacent to Dove Street) maximum 7'4" in height and extension of improvement of Dove Street on Lots B, C, D, E and F.

(Case C-16952. District-8.)

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Subitem-A: (R-87-) FILED

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-78-02-59 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-87-1706) ADOPTED RESOLUTION DENYING THE
APPEAL OF EDWIN CAREY III AND
APPROVING THE APPEAL OF ALEX
SZEKELY AS RESOLUTION R-267669

Adoption of a Resolution granting or denying an appeal and/or the request for variance.

Subitem-C: (R-87-) FILED

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-78-02-59.

FILE LOCATION: ZONE Zoning Appeals C-16952

COUNCIL ACTION: (Tape location: C094-D042.)

Hearing began 2:09 p.m. and halted 2:45 p.m.

Deputy Mayor Jones entered 2:29 p.m.

Testimony in opposition by Rebecca Michael, Chris Baron, Judith Kemp, Tess Wilcoxson, Mike Madigan, and Alex Szekely.

Testimony in favor by Edwin Carey.

The hearing was closed.

MOTION BY BALLESTEROS TO DENY THE APPEAL OF EDWIN CAREY. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-335:

Rezoning properties to conform with the land use adopted by the City Council for the Southcrest Community area. The subject 174.0 acres are located generally along National Avenue, south of Logan Avenue, 43rd and Alpha Streets, easterly of I-5 and I-15, in the Southeast San Diego Community Plan area (see map C-719.1).

The proposed rezonings are: R1-5000 to R-1500, CA and/or M-1B; R-3000 to R1-5000, R-2500, R-1500 and/or M-1B; R-1000 to R1-40000, R-1500 and/or CA; CC to CA; C to CA or any combination thereof.

(Case-86-0448. District-4.)

Subitem-A: (R-87-905) ADOPTED AS RESOLUTION R-267670

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0448, an addendum to EIR-84-0721, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-87-107) INTRODUCED, TO BE ADOPTED FEBRUARY 23, 1987

Introduction of an Ordinance for R-1500, CA, M-1B, R1-5000, R-2500, and R1-40000 Zoning.

Subitem-C: (R-87-1651) ADOPTED AS RESOLUTION R-267671

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-86-0448, an addendum to EIR-84-0721.

FILE LOCATION:

Subitems A and C Zone Ord No.

COUNCIL ACTION: (Tape location: D045-380.)

Hearing began 2:45 p.m. and halted 3:12 p.m.

Testimony in favor by Verna Quinn and Louise Bruce.

Testimony in opposition by Warren Nielsen.

Council Member Struiksma left 2:58 p.m.

Testimony in opposition by Anthony Tricarico.

Council Member Struiksma entered 3:07 p.m.

MOTION BY GOTCH TO ADOPT SUBITEMS A AND C AND INTRODUCE SUBITEM-B AS AMENDED TO INCLUDE THE REQUEST OF SOUTHEAST ECONOMIC DEVELOPMENT CORPORATION FOR AN ADJUSTMENT TO THE

REZONING EASTERLY OF 43RD STREET AND NORTHERLY OF NEWTON AVENUE
TO REZONE 3.10 ACRES FROM R1-5000 TO CA INSTEAD OF THE 3.75
ACRES RECOMMENDED BY THE PLANNING COMMISSION AND 5.40 ACRES
FROM

R1-5000 TO R-1500 INSTEAD OF THE 4.75 ACRES RECOMMENDED BY THE
PLANNING COMMISSION. Second by McCarty. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-not present.

ITEM-336:

Matters affecting the following real property:

A portion of Rancho de Los Penasquitos (approximately 169
acres), located east of Rancho Penasquitos Boulevard
between Carmel Mountain Road and I-15 in Zones A-1-10 and
A-1-10 (HR), in the Penasquitos East Community Plan area.

1) Appeals of Rancho Penasquitos Planning Board, by Barbara
Fisher, Chairman, from the decision of the Planning
Commission in granting:

a) Planned Residential Development Permit PRD-85-0910
proposing to develop 504 multi-family attached dwelling
units and a mini-park on the above described real
property;

b) Tentative Map TM-85-0910 (Sun Ridge Vista) proposing
a 21-lot subdivision on the above described real
property; and

2) Rezoning the above described real property from Zones
A-1-10 and A-1-10 (HR) to Zones R1-6000 and R1-6000 (HR)
(Case, PRD & TM-85-0910. District-1.)

Subitem-A: (R-87-1518) ADOPTED AS RESOLUTION R-267672

Adoption of a Resolution certifying that the information
contained in Environmental Mitigated Negative Declaration
EMND-85-0910 has been completed in compliance with the
California Environmental Quality Act of 1970 and State
guidelines, and that said declaration has been reviewed and
considered by the Council.

Subitem-B: (R-87-1652) ADOPTED RESOLUTION DENYING THE
APPEAL AND GRANTING THE PERMIT AS
RESOLUTION R-267673

Adoption of a Resolution granting the appeal and denying
the permit or denying the appeal and granting the permit
with appropriate findings to support Council action.

Subitem-C: (R-87-1653) ADOPTED RESOLUTION DENYING THE
APPEAL AND GRANTING THE MAP AS
RESOLUTION R-267674

Adoption of a Resolution granting the appeal and denying
the map or denying the appeal and granting the map with
appropriate findings to support Council action.

Subitem-D: (O-87-153) INTRODUCED, TO BE ADOPTED FEBRUARY
23, 1987

Introduction of an Ordinance for R1-6000 and R1-6000 (HR)
Zoning.

FILE LOCATION:

Subitems A and B PERM PRD 85-0910,

Subitem-C

SUBD San Ridge Vista

COUNCIL ACTION: (Tape location: D380-E680.)

Hearing began 3:12 p.m. and halted 4:09 p.m.

Testimony in favor by Pat Recame.

Testimony in opposition by Mike Madigan.

The hearing was closed.

Motion by Wolfsheimer to refer the matter back to Planning to be
redesigned. Second by Ballesteros. Failed by the following
vote: Wolfsheimer-yea, Cleator-nay, McColl-nay, Jones-nay,
Struiksma-nay, Gotch-nay, McCarty-nay, Ballesteros-yea, Mayor
O'Connor-not present.

MOTION BY McCARTY TO ADOPT SUBITEM-A, CERTIFYING THE INFORMATION
CONTAINED IN THE ENVIRONMENTAL MITIGATED NEGATIVE DECLARATION,
ADOPT SUBITEM-B, DENYING THE APPEAL AND GRANTING THE PERMIT,
ADOPT SUBITEM-C, DENYING THE APPEAL AND GRANTING THE MAP, AND
INTRODUCE SUBITEM-D, APPROVING THE ZONING. Second by Gotch.

Passed by the following vote: Wolfsheimer-nay, Cleator-yea,
McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-not present.

ITEM-337: CONTINUED TO FEBRUARY 17, 1987 10:00 A.M.

Discussion in the matter of the conversion of the
Metropolitan Sewerage System to Secondary Treatment and the
filing of a new revised waiver application from Secondary
Treatment.

(See City Manager Report CMR-87-54.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C090-094.)

MOTION BY WOLFSHEIMER TO CONTINUE TO FEBRUARY 17, 1987, 10:00 A.M. AT THE REQUEST OF MAYOR O'CONNOR FOR HER TO BE PRESENT.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-S500: (R-87-1645) ADOPTED AS RESOLUTION R-267668 DENY APPEAL AND GRANT PERMIT

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(Continued from the meeting of February 3, 1987, Item 333, at Council Member Cleator's request, to allow him to be present for the hearing.)

Appeal of Old Town/Mission Hills Committee, by Geoffrey Mogilner, from the decision of the Old San Diego Planned District Review Board in approving a revised application of Ramada Inn, for Old Town Inn, for a permit to display identification signs.

(Case-OSD-8611. District-2.)

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit with appropriate findings to support Council action.

FILE LOCATION: GENL - Old San Diego Planned District Review Board

COUNCIL ACTION: (Tape location: B379-625.)

MOTION BY CLEATOR TO CLOSE THE HEARING, DENY THE APPEAL AND GRANT THE PERMIT, AND DIRECT STAFF TO RESPOND TO THE APPELLANT'S CONCERNS REGARDING THE LOOP HOLE IN THE ORDINANCE WITH RESPECT TO SECONDARY IDENTIFICATION SIGNS. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

NON-DOCKET ITEMS

ITEM-ND-1: (R-87-1622) ADOPTED AS RESOLUTION R-267675

A Resolution presented to the City Council as a non-docket item:

Authorizing the City Manager to provide nine 4'x8' stage set-ups from 3:00 p.m. to 11:00 p.m., on February 13, 1987, to be supplied by the Park and Recreation Department, for use by the San Diego Junior Chamber of Commerce in association with the Century Club for a benefit to be conducted for the Child Abuse Prevention Foundation, at the

Century Club Pavilion at the Torrey Pines Golf Course on
February 13, 1987.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F072-F100.)

MOTION BY STRUIKSMA TO CONSIDER THE RESOLUTION. Second by
McCarty. Passed by the following vote: Wolfsheimer-yea,
Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,
McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

MOTION BY STRUIKSMA TO ADOPT. Second by Gotch. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-not present.

PUBLIC COMMENT

ITEM-PC-2: REFERRED TO CITY MANAGER

A person appeared requesting police protection for persons
in the St. Vincent De Paul food line.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F104-120.)

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Jones at 4:17
p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F130-137).

MOTION BY McCOLL TO ADJOURN IN HONOR OF CONNIE HEDGES AND REAR
ADMIRAL C.A. "CONNIE" KARABERIS. Second by Gotch. Passed by
the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-not present.